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BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
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SALLIARD, SHANNON S

ART UNIT	PAPER NUMBER
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3628

NOTIFICATION DATE	DELIVERY MODE
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11/30/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/507,926	<b>Applicant(s)</b> CROCKETT ET AL.	
	<b>Examiner</b> SHANNON S. SALIARD	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of Claims***

1. Applicant has currently amended claims 1, 12, and 13. Claim 14 has been cancelled. No claims have been newly added. Thus, claims 1-13 and 15 remain pending and are presented for examination.

### ***Response to Arguments***

2. Applicant's arguments with respect to the amendments to claims 1, 12, and 13 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 12 -13 and 15** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 12-13 and 15 purport to be directed toward a system, however the bodies of the claims recite only logic or software for a computer (Examiner notes that the "means" is nothing more than a resident application or software). Thus, the claims are directed to functional descriptive material that is not functionally or structurally interrelated to any medium. Data structures not claimed as embodied on statutory computer readable media (i.e., storage media, and excluding non-statutory media such as carrier waves) are descriptive material *per se* and therefore not patentable subject

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matter under § 101 as they are neither a process, a machine, a manufacture, nor a composition of matter. See MPEP § 2106 IV.(g)(1)(a).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-4, 8, 10, 11, and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gramann, III et al [US 2001/0049613] in view of Sokel [US 2003/0177044] and Yu et al [US 6,970,840].

As to **claim 1**, Gramann, III et al discloses a system to facilitate bookings including:

at least one business centre, each said at least one business centre having at least one product available for booking (0022), wherein each said at least one business centre includes a first processing means for receiving and making bookings of said at least one product from at least one agent or customer; and (0052)

at one or more predetermined periods of actions said first and second processing means are synchronized so that booking information in said first and second processing means is the same(0028; 0039; 0059).

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a second processing means for receiving and making bookings of said at least one product from said at least one agent or customer or at least one other agent of customer (0011).

Gramann, III et al does not explicitly disclose a central data centre. However, Sokel et al does disclose: a central data centre (0007). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

Gramann, III et al and Sokel et al do not further disclose said first processing means authenticated by said second processing means to enable said first processing means to make bookings of said at least one product from the at least one agent or customer. However, Yu et al teaches an improved system for accessing inventory (catalog products) which includes a first processing means authenticated by said second processing means to enable said first processing means to make a purchase of at least one product from a customer (col 2, lines 51-63; col 3, line 62-col 4, line 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to have enabled said first processing means to make bookings of a at least one product from at least one agent or customer by including the authentication software as in the

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improvement discussed in Yu et al in the system of Gramann, III et al. As in Yu et al, it is well within the capabilities of one of ordinary skill in the art to install the authentication software to Gramann, et al's personal computer communicating with the server with the predicted result of securely accessing inventory information as needed in Gramann, III et al.

As to **claim 2**, Gramann, III et al does not further disclose wherein synchronisation occurs after each booking. However, Sokel et al further discloses: synchronisation occurs after each booking (0008; 0023; Fig. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

As to **claim 3**, Gramann, III et al further discloses: an operator can initiate synchronization (0008; 0038-0039; 0049-0051; 0059).

As to **claim 4**, Gramann, III et al does not further disclose wherein said business centre offers accommodation. However, Sokel et al further discloses: said business centre offers accommodation (0030; 0032; claim 12). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al with Sokel et al. One of ordinary skill in the art would have been

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motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

As to **claim 8**, Gramann, III et al further discloses: said first processing means forwarding any said changed values to said second processing means, and said second processing means forwarding any said changed values to said first processing means (claim 24). Gramann, III et al does not explicitly disclose first and second processing means identifying any values that have changed since a previous synchronization. However, Sokel et al does disclose: first and second processing means identifying any values that have changed since a previous synchronization (0010; 0026; 0037). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

As to **claim 10**, Gramann, III et al does not further disclose wherein said first and second processing means both include a common user interface. However, Sokel et al further discloses: said first and second processing means both include a common user

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interface (0007; 0017; 0030; claim 4, 19). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al , 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).

As to **claim 11**, Gramann, III et al further discloses: modifications to booking conditions are made to said second processing means and then synchronized to said first processing means (0040; claim 11).

As to **claim 15**, Gramann, III et al further discloses: the first and second processing means are connectable to the internet (0011; 0022). Gramann, II et al does not explicitly disclose wherein synchronization occurs over the internet. However, Sokel et al does disclose: synchronization occurs over the internet (0008; 0010; 0030). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al, with Sokel et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006).



7. **Claims 5-7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gramann, III et al [ US 2001/0049613] in view of Sokel et al [US 2003/0177044] and Yu et al [US 6,970,840] as applied to claim 4 above, and further in view of Stanfield [US 2002/0069093].

As to **claim 5**, Gramann, III et al, Sokel et al, and Yu et al disclose a system as claimed in claim 4. Gramann, III et al, Sokel et al, and Yu et al do not disclose said product included rooms available at said business centre. However, Stanfield does disclose: said product included rooms available at said business centre (0012; 0150; Fig. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al, Sokel et al, and Yu et al with Stanfield. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006), and provide an electronic reservation referral system and method that can use Internet technology, not to replace traditional travel services, but to make them dynamic (Stanfield, 0004).

As to **claim 6**, Gramann, III et al, Sokel et al, and Yu et al disclose a system as claimed in claim 1. Gramann, III et al, Sokel et al, and Yu et al do not explicitly disclose said business centre is a tour operator. However, Stanfield does disclose: said

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business centre is a tour operator (0026). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al, Sokel et al, and Yu et al with Stanfield. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site- based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006), and provide an electronic reservation referral system and method that can use Internet technology, not to replace traditional travel services, but to make them dynamic (Stanfield 0004).

As to **claim 7**, Gramann, III et al, Sokel, Yu et al, and Stanfield disclose a system as claimed in claim 6. Stanfield further discloses: said product includes tours available from said tour operator (0028; 0150). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, II et al, Sokel et al, and Yu et al with Stanfield. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006), and provide an electronic reservation referral system and method that can use Internet technology, not to replace traditional travel services, but to make them dynamic (Stanfield, 0004).

8. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Gramann, III et al [ US 2001/0049613] in view of Sokel et al [US 2003/0177044] and Yu et al [US 6,970,840] as applied to claim 1 above, and further in view of Sprenger et al [US 2003/0040946].

As to **claim 9**, Gramann, III et al, Sokel et al, and Yu et al disclose a system as claimed in claim 1. Gramann, III et al, Sokel et al, and Yu et al do not explicitly disclose a dispute resolution system to alert a user to possible double bookings. However, Sprenger et al does disclose: a dispute resolution system to alert a user to possible double bookings (0240; 0245). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al, Sokel et al, and Yu et al with Sprenger et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and automatically and periodically synchronizing the primary database with the secondary database (Sokel et al, 0006), and provide a system for a user to develop a travel plan (Sprenger et al, 0007).

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9. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Gramann, III et al [ US 2001/0049613] in view of Sprenger et al [US 2003/0040946] and Yu et al [US 6,970,840].

As to **claim 12**, Gramann, III et al discloses a business centre booking system including:

a first processing means to receive and make bookings of at least one product available from said business centre (0011; claims 1,2, 24);

at a predetermined time said first processing means synchronises data with said external server via said communication means (0028; 0039; claim 9). Gramann, III et al does not explicitly disclose a communication means to receive bookings made via an external server of said at least one product. However, Sprenger et al does disclose: a communication means to receive bookings made via an external server of said at least one product (0088). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Gramann, III et al, with Sprenger et al. One of ordinary skill in the art would have been motivated to combine these features in order to provide a method for scheduling reservations comprises storing a site-based reservation on a primary database, storing a web-based reservation on a secondary database (Gramann, III et al, 0008), and provide a system for a user to develop a travel plan (Sprenger et al, 0007).

Gramann, III et al and Sprenger et al do not further disclose said first processing means authenticated by said second processing means to enable said first processing means to make bookings of said at least one product from the at least one agent or

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customer. However, Yu et al teaches an improved system for accessing inventory (catalog products) which includes a first processing means authenticated by said second processing means to enable said first processing means to make a purchase of at least one product from a customer (col 2, lines 51-63; col 3, line 62-col 4, line 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to have enabled said first processing means to make bookings of a at least one product from at least one agent or customer by including the authentication software as in the improvement discussed in Yu et al in the system of Gramann, III et al. As in Yu et al, it is well within the capabilities of one of ordinary skill in the art to install the authentication software to Gramann, et al's personal computer communicating with the server with the predicted result of securely accessing inventory information as needed in Gramann, III et al.

10. **Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Gramann, III et al [ US 2001/0049613] in view of Yu et al [US 6,970,840].

As to **claim 13**, Gramann, III et al discloses a synchronized booking system including:

a second processing means for receiving and making bookings of at least one product available from at least one business centre (0022; 0029; Fig. 2);

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a communication means to enable said bookings to be synchronised with a first processing means of said at least one business centre (0012; 0022-0024; 0026; 0050 0069).

Gramann, III et al does not further disclose said first processing means authenticated by said second processing means to enable said first processing means to make bookings of said at least one product from the at least one agent or customer. However, Yu et al teaches an improved system for accessing inventory (catalog products) which includes a first processing means authenticated by said second processing means to enable said first processing means to make a purchase of at least one product from a customer (col 2, lines 51-63; col 3, line 62-col 4, line 6). It would have been obvious to one of ordinary skill in the art at the time of the invention to have enabled said first processing means to make bookings of a at least one product from at least one agent or customer by including the authentication software as in the improvement discussed in Yu et al in the system of Gramann, III et al. As in Yu et al, it is well within the capabilities of one of ordinary skill in the art to install the authentication software to Gramann, et al's personal computer communicating with the server with the predicted result of securely accessing inventory information as needed in Gramann, III et al.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHANNON S. SALIARD whose telephone number is

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(571)272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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